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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,637	04/11/2005	Jorg Peter	085449-0157	3124

22428 7590 06/09/2009
FOLEY AND LARDNER LLP
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

EXAMINER

CHAO, ELMER M

ART UNIT	PAPER NUMBER
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3737

MAIL DATE	DELIVERY MODE
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06/09/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary	Application No. 10/517,637	Applicant(s) PETER, JORG	
	Examiner ELMER CHAO	Art Unit 3737	

All participants (applicant, applicant's representative, PTO personnel):

(1) ELMER CHAO. (3) Brian Wilson.

(2) Brian Casler. (4) Paul Strain.

Date of Interview: 03 June 2009.

Type: a) ☐ Telephonic b) ☐ Video Conference
c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: 22 and 29.

Identification of prior art discussed: Rabito et al. (U.S. 5,301,673).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's Representatives discussed explained their interpretation of Rabito et al. and disagrees that Rabito et al. teaches a fluorescent/bioluminescent detector and radioactive marker detector detecting their respective energies simultaneously.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Elmer Chao/ Examiner, Art Unit 3737	/BRIAN CASLER/ Supervisory Patent Examiner, Art Unit 3737
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